

## **SUMMARY OF HABILITATION THESIS**

# **THE INTERNATIONAL TREATY, *INSTRUMENTUM JURIS* OF INTERNATIONAL COOPERATION**

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This habilitation thesis was divided into three distinct levels, namely the presentation of one's professional and academic career (Part I), of one's future research projects (Part II) and references to support the elements of the first two parts (Part III).

## **PART I - PRESENTATION OF ACADEMIC AND PROFESSIONAL CAREER**

### **1. Professional and Scientific achievements**

The research activity, which began formally in 2001, with the enrollment in the doctoral studies, was and aimed at deepening institutions in the sphere of public international law, namely with analysis of issues regarding the international treaty.

#### **1.1 The international treaty – instrument of international cooperation**

The international treaty needs to be understood as an agreement between political entities which have, in terms of international law, the quality of the State or *Jus Gentium* subjects, acting as international law subjects. As a legal operation (*negotium iuris*), the treaty was defined generally to be an agreement between two or more States, which determines the rights and obligations of mutual and lay down rules of conduct which they undertake to respect. But because the treaty can be defined as a

tool (*instrumentum iuris*), incorporating an agreement of wills between the State, were briefly analyzed in the thesis enabling all elements that contribute to the notion that the international treaty is an instrument international cooperation.

### **1.1.2 The Doctoral thesis - The multidisciplinary nature of the International Treaty**

In the first chapter were considered "General aspects of international treaties", where we analyzed the concept of international treaties, understood in the broad sense as an agreement of will between two or more States or other subjects of international law, which set relationships governed by international law.

The second chapter was devoted to the analysis of international treaty in international law, where a presentation of the concept of the law of treaties was done, as all international rules on which forms the treaties and under which there is the Law of Treaties (*jus tractum*). From the analysis one revealed that the Law of Treaties contains two types of rules, material rules, which regulate matters of substance related to the formation and legal existence of international treaties and rules of a procedural nature, which govern the phases of treaty creation.

The third chapter was dedicated to the study of the "International treaty on the border between civil law and private international law", as there is an indissoluble connection between civil law and Private International Law, even considering some opinions that private international law is not a separate branch of law but part of civil law. Thus, in this chapter, in addition to an analysis of Romanian Private International Law matters, I studied the multidisciplinary aspect of the international treaty in terms of international sources of this area.

At the end of the doctoral thesis, in the fourth chapter, one analyzed IMPORTANCE of INTERNATIONAL TREATY international trade law, which was presented to the international treaty and importance of the institution in this matter.

### **1.1.3. International Treaty institution in Romania and EU member states**

They were presented in this section, exhaustively how the international treaty is regulated in three Member States, namely Romania, the French Republic and the Portuguese Republic.

## **1.2. Publication of books and articles in the field of International Law and International Treaty public**

In this section were presented the results of our research activities, which could be quantified at the time of writing habilitation thesis in five volumes specialized in the field of International Law and International Relations, published in prestigious publishing houses, to which two more volumes published at the time with CNCSIS accredited bodies could be added, as well as 38 scientific papers on international relations, international and EU law, international cooperation with a total of 146.3 points in relation to the criteria established by OMECT 4203/2013, Annex 6.

### **1.2.1. Self-evaluation of significant scientific contributions**

In this section we presented some self-evaluative aspects of major scientific research papers published, namely:

- the book on Public International Law, written in co-authorship in 2006 as an overview of the main institutions of public international law, using multiple references in international jurisprudence and doctrine, as well as numerous references to the institution of the international treaty;
- the volume on Law and International Relations, published in 2013, as a collection of those international agreements that we considered to be most important for a practitioner in international relations area;
- The volume on Elements of Public and Private International Law, published in 2011, summarizing the main institutions of Public International Law and Private

International Law;

- The monograph on the International Treaty within a European Context, published in 2013, which analyzed the international treaty from a dual perspective, on the one hand as one major instrument and core institution of international society and, secondly, in terms of how the treaty is regulated by national legislation of three member states of the European Union, Romania, France and Portugal, given one's affinities to the latter's;

Besides these volumes, were also presented some of the papers published in prestigious journals for legal sciences, or indexed in Recognized Databases in which were analyzed various institutions of the international treaty (reservations to the treaty, the effects of international treaties, codification of the concept of international responsibility of States, etc.).

### **1.2.2. Significant contributions by publishing studies and articles**

The 38 scholarly articles were published as follows:

Review of Legal Sciences, indexed by EBSCO, Copernicus - 13 items;

AGORA IJIS indexed by EBSCO, Ulrich, Copernicus - 4 items;

Public Administration and Regional Studies journal, indexed by EBSCO, Repec - 3 items;

Reviews and collective volumes published in prestigious or foreign publishing houses - 13 items;

ISI proceedings - 4 items;

ISI papers with impact factor – 1 item

### **1.3. Participation in projects/ national and international conferences**

#### **1.3.1 Involvement in R & D**

In general, we can summarize the scientific work through the following objectives:

- Applying high standards of quality, in accordance with the applicable European and international research and quality thereof;
- Support of multi and trans-disciplinary research;
- Exchange best practices and continuous improvement.

Thus, although the strict legal sciences were not considered for the development of research projects on their own, one still managed to get involved in several projects, where the legal sciences were represented in one way or another. In this section were presented the main projects in which I was involved during the period 2008-2015, in a total of 11 such research and development projects.

#### **1.3.2 Participation in scientific events**

I got involved in activities related to scientific events, both as a simple participant, and as a member of the Scientific Committees and the organization of conferences or moderator and / or keynote speaker or as member five editorial boards of journals or volumes of scientific, indexed in databases recognized or published in prestigious publishing houses for legal sciences.

## **2. Professional and academic achievements**

### **2.1. Professional career**

In this section we presented the functions and university degrees held over time, starting with legal tenure in higher education in 2001, until the degree of professor in 2013 and the election by my colleagues as department director. It also highlighted

and professional activities outside academia, as the academic professional activity was always complemented by holding functions and outside academia, having quality legal advisor, consultant in a project director of cabinet ministerial , Minister Counsellor, head of international relations RAQAHE all these activities allowing me to develop my managerial skills and a range of teamwork in various environments with strong relational impact.

## **2.2. Membership of organizations / professional colleges**

I am a member of three professional organizations related to legal sciences, the Union of Jurists of Romania, European Union Law Society of Romania and Union of Legal Advisers in Romania, being appointed member of the Council of the European Union Law Society of Romania.

## **2.3. Member of committees in the interest of education**

One presented in this section the commissions in academia in which one sat, both as chairman and member, respectively doctorates support committees.

# **PART II - CAREER DEVELOPMENT PLAN AND FUTURE RESEARCH LINES**

## **2.1. Principles of future career development plan**

The habilitation for conducting doctoral studies is a significant liability for each academic, which should orient its research around principles such as:

- Development and innovation principle;
- Quality principle;
- Continuity principle;
- Ethics and deontology principles;

## **2.2 The development of the scientific research can be summarized by the following coordinates:**

- Finalizing the Treaty on International Law, work one is building on for years, hoping it would be a work destined for international relations legal practitioners;
- Analysis of each of the seven EU institutions and publication of its results in the form of a monograph about the European institutions, as they were modified and transformed by the Lisbon Treaty;
- some explained compendiums of international agreements which codified some of the major institutions and mechanisms of international law.

Also, future doctoral research projects will focus on specific topics important for international relations from the perspective of International Public Law and the International Treaty, given that, as we have seen, the Treaty has a dual function in the international relations economy. The main research interest can be summarized as follows:

- the concept of codification of international law;
- analysis of the vices of consent in case of international treaties and their effect on international relations at bilateral and multilateral levels;
- codification of the concept of international responsibility;
- links between international treaties concluded by the European Union as a subject of international relations and similar treaties concluded by individual EU Member States;
- comparative analysis of different single market systems and integration mechanisms of sovereign entities;
- the emergence of new conflict factors in international relations and the need for legal framing of the new realities of the international society;
- reform of the UN system.